

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION**

KENNETH KENNER

PLAINTIFF

VS.

Case No. 04-CV-4021

DOMTAR INDUSTRIES, INC.

DEFENDANT

CONFIDENTIALITY AND PROTECTIVE ORDER

After reviewing the Motion for Protective Order of Defendant, Domtar Industries, Inc., (“Domtar” or “Defendant”), the Court hereby orders:

1. This Confidentiality and Protective Order shall apply to any and all documents produced by Plaintiff or Domtar and marked as "Confidential" (the “Confidential Documents”).

2. Confidential Documents are confidential, and that they shall only be disclosed by the attorneys for Plaintiff and Domtar to the following individuals to the extent the attorneys reasonably deem disclosure necessary for proper litigation:

- a. The Court, its employees, court reporters and the jury;
- b. Plaintiff or Defendant;
- c. Counsel for Plaintiff or Defendant, as well as their paralegals and clerical staff;
- d. Outside experts or consultants retained by counsel for Plaintiff or Defendant; and

3. Any person referenced in Paragraphs (a) through (d) who is either shown all or part of a Confidential Document (either directly or indirectly—*e.g.*, by being shown a motion to which the Confidential Document has been attached), or who is told about information contained in a Confidential Document, must be told by the attorney at the same time that the Court has ordered that the Confidential Document (or information, if applicable) is confidential, and that the person is not to show the Confidential Document nor convey any information contained in the Confidential Document to anyone else.

4. Any testimony given at trial concerning a Confidential Document or the contents thereof shall likewise be considered a Confidential Document for the purposes of this order.

5. Counsel for Plaintiff and Domtar must maintain the Confidential Documents in their possession unless they, or some of them, are being shown to someone else in a manner consistent with this order. Within ten days after the final disposition of this case (either through judgment, order of dismissal, denial of post-trial motion, or affirmation of judgment or order of dismissal), the attorneys for Plaintiff and Domtar must return the Confidential Documents to the producing party, except that counsel only may keep one copy set of any Confidential Documents used as exhibits or evidence at any hearing in this action, and such copy set will continue to be governed by this Stipulated Confidentiality and Protective Order.

6. Neither Plaintiff nor Domtar shall use, copy, or retain the Confidential Documents for any purpose, business or otherwise, other than as set forth in this Stipulated Confidentiality and Protective Order

SIGNED this 3rd day of March, 2006.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
U.S. District Court